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09/405,731	09/24/1999	THOMAS L. DISTEFANO III	6676.5	9812

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EXAMINER

GRAHAM, CLEMENT B

ART UNIT PAPER NUMBER

3628

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/405,731	<b>Applicant(s)</b> DISTEFANO III, THOMAS L.	
	<b>Examiner</b> Clement B. Graham	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 3/20/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

- 1 Applicant's request for reconsideration of the rejection of the last Office action is persuasive and, therefore, the last action is withdrawn.
2. Claims 1-20 remained pending.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3-4, are rejected under 35 U.S.C. 102(e) as being [anticipated] by DeLorme et al (Hereinafter DeLorme U.S. Patent No.5, 948, 040).

As per claim 1, DeLorme discloses a method for moderating external access to an electronic document authoring, development and distribution system comprising the steps of :

identifying a third party ("i. e, users") requesting access to said electronic document authoring, development and distribution system (see column 37 lines 25-53) permitting restricted access to said third party to selected functions of said, electronic document authoring, development and distribution system(see column 37 lines 25-53) and, eliminating ("i. e, registration eliminate access restrictions") all access restrictions to said selected functions in said electronic document authoring(see column 37 lines 25-53) development and distribution system which were imposed in said permitting step when said third party registers as a registered user of said electronic document authoring, development and distribution system.(Note abstract and see column 46 lines 8-44 and column 37 lines 25-53 and column 46 lines 9-57).

As per claim 3, DeLorme discloses wherein said accepting step comprises the steps of :  
accepting credit-card information from said third party("i. e, user");

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submitting said credit card information to a corresponding credit card authorization system and, retrieving payment authorization from said authorization system. (see column 37 lines 3-53).

As per claim 4, DeLorme discloses wherein said accepting step comprises the steps:

accepting credit card information from said third party submitting said credit card information to a corresponding credit card authorization system and retrieving payment authorization from said authorization system. (see column 37 lines 3-53).

6. Claims 2, 5-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et al (Hereinafter DeLorme U.S. Patent No.5, 948, 040 in view Perkowski U.S Patent 6, 959, 286.

As per claim 2, DeLorme fail to explicitly teach wherein said permitting step comprises the steps of :

first disabling in said system all document saving functionality;

second disabling in said system all document copying functionality;

third disabling in said system all document downloading functionality; and, permitting access to said system subsequent to said first, second and third disabling steps.

However DeLorme discloses on account of such enrollment, or by user password entry, or by equivalent means, registered status is duly entered within the ACCOUNTING DATA sub-structure of the standard TRIPS data structure that evolves as part and parcel of the course of any TRIPS travel planning session--as detailed elsewhere in this disclosure with particular reference to FIGS. 3 and as entered in the data structure of the current TRIPS travel planning session, the fact that the user is duly registered gets recognized at, and then permits access to and/or downloading of VALUABLE OUTPUT at in FIG. 4. (see column 37 lines 14-53).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to that the teachings of DeLorme could have adapted to perform these functions of first disabling in said system all document saving functionality, second disabling in said system all document copying functionality, third disabling in said system all document downloading functionality and, permitting access

to said system subsequent to said first, second and third disabling steps in order to limit access to to unregistered users.

As per claim 5, DeLorme fail to explicitly teach wherein said removing step comprises the first enabling in said system all document saving functionality; second enabling in said system all document copying functionality, third enabling in said system all document downloading functionality; and, permitting access to said system subsequent to said first, second and third enabling steps.

However DeLorme discloses on account of such enrollment, or by user password entry, or by equivalent means, registered status is duly entered within the ACCOUNTING DATA sub-structure of the standard TRIPS data structure that evolves as part and parcel of the course of any TRIPS travel planning session--as detailed elsewhere in this disclosure with particular reference to FIGS. 3 and as entered in the data structure of the current TRIPS travel planning session, the fact that the user is duly registered gets recognized at, and then permits access to and/or downloading of VALUABLE OUTPUT at in FIG. 4. (see column 37 lines 14-53).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to that the teachings of DeLorme could have adapted to perform these functions of first disabling in said system all document saving functionality, second disabling in said system all document copying functionality, third disabling in said system all document downloading functionality and, permitting access to said system subsequent to said first, second and third disabling steps in order to limit access to to unregistered users.

As per claim 6, DeLorme discloses further comprising the steps of :  
accepting a request from said registered user (see column 37 lines 25-53).

DeLorme fail to explicitly a unique URL, registering said unique URL on behalf of said registered user; and, associating said unique URL with a Web site commissioned by said registered user and posted for Internet viewing said system.

However Perkowski discloses present invention is to provide such a system with an number of different modes of operation, namely: a Manufacturer/Product Registration Mode, wherein manufacturers can register their companies and consumer products

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(e.g. UPC numbers and URLs) with the system; an UPN-Directed Information Access Mode, wherein consumers can access and display information menus containing UPC numbers linked to URIs pointing Web pages containing consumer product related information by scanning the UPC label on the consumer product or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Manufacturer Website Search Mode, wherein the home page of a manufacturer's Website can be automatically accessed and displayed by scanning the UPC label on any consumer product of the manufacturer or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Trademark-Directed Search Mode enabling consumers to use trademarks and/or trade names associated with consumer products to search for consumer-product related information registered within the system; and a Product-Description Directed Search Mode enabling consumers to use product descriptors associated with particular consumer products to search for consumer-product related information registered within the system. (see column 5 lines 64-67 and column 6 lines 1-21 and column 7 lines 3-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of DeLorme to include accepting a request from said a unique URL, registering said unique URL on behalf of said registered user and, associating said unique URL with a Web site commissioned by said registered user and posted for Internet viewing said system taught by Perkowski order to deliver consumer product related information to consumers within retail environments using the internet based servers and sales agents.

As per claim 7, DeLorme discloses further comprising the steps of : accepting a request from said registered user(see column 37 lines 25-53). Delorme fail to explicitly teach submit a URL associated with a Web site commissioned by said registered user to a plurality of Web search engines, retrieving a list of said Web search engines selected by said registered user, and, submitting said URL to each Web search engine contained in said list.

However Perkowski discloses the URL list may contain a URL that points to multi media clip on WWW (see column 27 lines 35-67) and present invention is to provide

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such a system with an number of different modes of operation, namely, a Manufacturer/Product Registration Mode, wherein manufacturers can register their companies and consumer products (e.g. UPC numbers and URLs) with the system; an UPN-Directed Information Access Mode, wherein consumers can access and display information menus containing UPC numbers linked to URLs pointing Web pages containing consumer product related information by scanning the UPC label on the consumer product or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Manufacturer Website Search Mode, wherein the home page of a manufacturer's Website can be automatically accessed and displayed by scanning the UPC label on any consumer product of the manufacturer or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Trademark-Directed Search Mode enabling consumers to use trademarks and/or trade names associated with consumer products to search for consumer-product related information registered within the system; and a Product-Description Directed Search Mode enabling consumers to use product descriptors associated with particular consumer products to search for consumer-product related information registered within the system. (see column 5 lines 64-67 and column 6 lines 1-21 and column 7 lines 3-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of DeLorme to include submit a URL associated with a Web site commissioned by said registered user to a plurality of Web search engines, retrieving a list of said Web search engines selected by said registered user, and, submitting said URL to each Web search engine contained in said list taught by Perkowski order to deliver consumer product related information to consumers within retail environments using the internet based servers and sales agents.

As per claim 8, DeLorme discloses further comprising the steps of : accepting electronic submissions of Web assets from said third party("i. e users") storing said accepted Web assets in a Web asset database; and, compensating said third party for subsequent distribution of said Web assets. (see column 37 lines 3-53).

As per claim 9, DeLorme discloses wherein said accepting step comprises the

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permitting an upload of said Web assets from said third party("i. e, users") screening said uploaded Web assets for marketable content; and accepting said 'screened uploaded Web assets for distribution on said system.(see column 46 lines 9-57).

As per claim 10, DeLorme fail to explicitly teach wherein said compensating step comprises:  
for each Web asset used by a registered user in forming a Web page, crediting a credit card account of said third party author in compensation for said use by said registered user of said Web asset corresponding to said third party author. (see column 37 lines 3-53).

As per claim 11, DeLorme discloses a computer apparatus programmed with a routine set of instructions stored in a fixed medium, said apparatus comprising:  
means for identifying a third party ("i. e, users") requesting; access to an electronic document authoring, development and distribution system(see column 37 lines 25-53)  
means for permitting restricted access to said third party to selected functions of said electronic document authoring development and distribution system.(see column 37 lines 25-53) and means for eliminating ("i. e, registration eliminate access restrictions") all access restrictions to said selected functions in said electronic document authoring development and distribution system(see column 37 lines 25-53) which were imposed in said permitting step when said third party registers as a registered user of said electronic document authoring, development and distribution system.(Note abstract and see column 46 lines 8-44 and column 37 lines 25-53).

As per claim 12, DeLorme fail to explicitly teach wherein said permitting means comprises:  
first means for disabling in said system all document saving functionality;  
second means for disabling in said system all document copying functionality third means for disabling in said system all document downloading functionality; and, means for permitting access to said system subsequent to said first, second and third disabling by said first, second and third disabling means.

However DeLorme discloses on account of such enrollment, or by user password



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entry, or by equivalent means, registered status is duly entered within the ACCOUNTING DATA sub-structure of the standard TRIPS data structure that evolves as part and parcel of the course of any TRIPS travel planning session--as detailed elsewhere in this disclosure with particular reference to FIGS. 3 and as entered in the data structure of the current TRIPS travel planning session, the fact that the user is duly registered gets recognized at, and then permits access to and/or downloading of VALUABLE OUTPUT at in FIG. 4. (see column 37 lines 14-53).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to that the teachings of DeLorme could have adapted to perform these functions first means for disabling in said system all document saving functionality;

second means for disabling in said system all document copying functionality third means for disabling in said system all document downloading functionality and, means for permitting access to said system subsequent to said first, second and third disabling by said first, second and third disabling means because unrestricted access would have only be granted to registered users.

As per claim 13, DeLorme discloses wherein said eliminating means comprises:

means for accepting payment from said third party;

means for recognizing said third party ("i. e, users")as a registered user; and, means for removing access restrictions to said system imposed on said registered third party by said permitting means. (see column 46 lines 9-57).

As per claim 14, DeLorme discloses wherein said accepting means comprises: means for accepting credit card information from said third party, means for submitting said credit card information to a corresponding credit card authorization system; and, means for retrieving payment authorization from said authorization system. (see column 37 lines 3-53).

As per claim 15, DeLorme fail to explicitly teach wherein said removing step comprises the first enabling in said system all document saving functionality;

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second enabling in said system all document copying functionality, third enabling in said system all document downloading functionality; and, permitting access to said system subsequent to said first, second and third enabling steps.

However DeLorme discloses on account of such enrollment, or by user password entry, or by equivalent means, registered status is duly entered within the ACCOUNTING DATA sub-structure of the standard TRIPS data structure that evolves as part and parcel of the course of any TRIPS travel planning session--as detailed elsewhere in this disclosure with particular reference to FIGS. 3 and as entered in the data structure of the current TRIPS travel planning session, the fact that the user is duly registered gets recognized at, and then permits access to and/or downloading of VALUABLE OUTPUT at in FIG. 4. (see column 37 lines 14-53).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to that the teachings of DeLorme could have adapted to perform these functions of first disabling in said system all document saving functionality, second disabling in said system all document copying functionality, third disabling in said system all document downloading functionality and, permitting access to said system subsequent to said first, second and third disabling steps in order to limit access to to unregistered users.

As per claim 16, DeLorme discloses further comprising the steps of : accepting a request from said registered user (see column 37 lines 25-53).

DeLorme fail to explicitly a unique URL, registering said unique URL on behalf of said registered user; and, associating said unique URL with a Web site commissioned by said registered user and posted for Internet viewing said system.

However Perkowski discloses present invention is to provide such a system with an number of different modes of operation, namely: a Manufacturer/Product Registration Mode, wherein manufacturers can register their companies and consumer products (e.g. UPC numbers and URLs) with the system; an UPN-Directed Information Access Mode, wherein consumers can access and display information menus containing UPC numbers linked to URIs pointing Web pages containing consumer product related information by scanning the UPC label on the consumer product or by entering the UPC

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number thereof into a data-entry screen displayed by the system in this mode; a Manufacturer Website Search Mode, wherein the home page of a manufacturer's Website can be automatically accessed and displayed by scanning the UPC label on any consumer product of the manufacturer or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Trademark-Directed Search Mode enabling consumers to use trademarks and/or trade names associated with consumer products to search for consumer-product related information registered within the system; and a Product-Description Directed Search Mode enabling consumers to use product descriptors associated with particular consumer products to search for consumer-product related information registered within the system. (see column 5 lines 64-67 and column 6 lines 1-21 and column 7 lines 3-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of DeLorme to include accepting a request from said a unique URL, registering said unique URL on behalf of said registered user and, associating said unique URL with a Web site commissioned by said registered user and posted for Internet viewing said system taught by Perkowski order to deliver consumer product related information to consumers within retail environments using the internet based servers and sales agents.

As per claim 17, DeLorme discloses further comprising the steps of : accepting a request from said registered user(see column 37 lines 25-53). Delorme fail to explicitly teach submit a URL associated with a Web site commissioned by said registered user to a plurality of Web search engines, retrieving a list of said Web search engines selected by said registered user, and, submitting said URL to each Web search engine contained in said list.

However Perkowski discloses the URL list may contain a URL that points to multi media clip on WWW (see column 27 lines 35-67) and present invention is to provide such a system with an number of different modes of operation, namely, a Manufacturer/Product Registration Mode, wherein manufacturers can register their companies and consumer products (e.g. UPC numbers and URLs) with the system; an UPN-Directed Information Access Mode, wherein consumers can access and display

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information menus containing UPC numbers linked to URIs pointing Web pages containing consumer product related information by scanning the UPC label on the consumer product or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Manufacturer Website Search Mode, wherein the home page of a manufacturer's Website can be automatically accessed and displayed by scanning the UPC label on any consumer product of the manufacturer or by entering the UPC number thereof into a data-entry screen displayed by the system in this mode; a Trademark-Directed Search Mode enabling consumers to use trademarks and/or trade names associated with consumer products to search for consumer-product related information registered within the system; and a Product-Description Directed Search Mode enabling consumers to use product descriptors associated with particular consumer products to search for consumer-product related information registered within the system. (see column 5 lines 64-67 and column 6 lines 1-21 and column 7 lines 3-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of DeLorme to include submit a URL associated with a Web site commissioned by said registered user to a plurality of Web search engines, retrieving a list of said Web search engines selected by said registered user, and, submitting said URL to each Web search engine contained in said list taught by Perkowski order to deliver consumer product related information to consumers within retail environments using the internet based servers and sales agents.

As per claim 18, DeLorme discloses further comprising:  
means for accepting electronic submissions of Web assets from said third ' party ;  
means for storing said accepted Web assets in a Web asset database; and,  
means for compensating said third party for subsequent distribution of said Web assets. (see column 37 lines 3-53).

As per claim 19, DeLorme discloses wherein said accepting means comprises:  
means for permitting an upload of said Web assets from said third party;

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means for screening said uploaded Web assets for marketable content; and, means for accepting said screened uploaded Web assets for distribution on said system. (see column 37 lines 3-53 and column 46 lines 9-57).

As per claim 20, DeLorme discloses wherein said compensating means comprises: for each Web asset used by a registered user and for crediting a credit card account (see column 37 lines 3-53 and column 46 lines 9-57).

DeLorme fail to explicitly teach in forming a Web page, means for identifying a third party author corresponding to said Web asset; and, means of said third party author in compensation for said use by said registered user of said Web asset corresponding to said third party author.

However Perkowski discloses As shown in FIG. 3A3, any Client Computer 13 within the system hereof may be realized in the form of the Web-based multi-media kiosk 34, also designed for use as a "virtual sales agent" within retail shopping environments. As shown, the Web-based kiosk 34 comprises: an ultra-compact housing 35 capable of being supported upon a pair of support rods (35A), a vertical support surface (e.g. wall), a horizontal support surface (e.g. countertop), or supported from a ceiling or pedestal; an omnidirectional laser bar code symbol reader (e.g. Metrologic MS 6720 Laser Scanner) 36, modified with handle 36A, for reading UPC (and other type of) symbols printed on products, brochures, documents and the like; an active-matrix LCD-type visual display screen 37 for viewing product related information automatically displayed thereon in response to the entry of the UPC numbers scanned into the UPC Number Entry Window 21D displayed on the client subsystem.(see column 22 lines 37-67 and column 5 lines 64-67 and column 6 lines 1-21 and column 7 lines 3-12). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of DeLorme to include in forming a Web page, means for identifying a third party author corresponding to said Web asset; and, means of said third party author in compensation for said use by said registered user of said Web asset corresponding to said third party author taught by Perkowski in order to deliver consumer product related information to consumers within retail environments using the internet based servers and sales agents.

Conclusion

Response to Arguments

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4. Applicant's arguments files on 03/20/2006 have been fully considered but they are moot in view of new grounds of rejections.

Any inquiry concerning this communication from the examiner should be directed to Clement Graham at (703) 305-1874. The examiner can normally be reached on Monday, Tuesday, and Wednesday from 5:30AM. to 6:00PM.

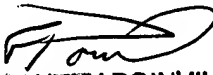
5. If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 305-0505.

The Official Fax Number for TC-3600 is: (703) 305-7687

Clement Graham

Patent Examiner

April 20, 2006

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
Au 3628